

City Council Chamber, City Hall, Wednesday, January 21, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 21, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Kahn, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office, Ms. Sara Culbreth, Deputy Chief Administrative Officer, Mayor's Office; Ms. Susan Taylor, Acting City Attorney, Mr. Paul Bibler, Senior Assistant City Attorney; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office and Ms. Marty Stein, Agenda Director, present.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:03 Mayor White called the meeting to order and Council Member Lawrence led all in the prayer and pledge of allegiance. Council Members Goldberg, Khan and Berry absent.

Mayor White requested the City Secretary to call the roll. Council Members Goldberg, Khan and Ellis absent.

Council Members Quan and Sekula-Gibbs moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Goldberg, Khan and Ellis absent. MOTION ADOPTED.

**MAYOR'S REPORTS** - Briefing on 2004 Super Bowl:

Executive Assistant Chief Dennis Storemski - Houston Police Department  
Mr. Jordy Tollett - Greater Houston Convention and Visitors Bureau  
Mr. Robert Dale Morgan - Super Bowl Host Committee

Mayor White stated that the first order of business would be a report on the Super Bowl and invited Chief Dennis Storemski, HPD, Mr. Jordy Tollett, Director, Greater Houston Convention and Visitors Bureau and Mr. Chuck Watson, Chairman of the Board, Houston Super Bowl Host Committee, to the podium to begin the presentation. Council Members Ellis and Khan absent.

Mr. Tollett stated that he had his staff deliver a book titled "Super Bowl XXXVIII Marketing Campaign", that kind of outlined their marketing efforts associated with the Super Bowl to the Mayor and each Council Members and also a model billboard, where they tried to take advantage of the Super Bowl being in Houston for two weeks versus what had been for the last four years, one week, that the NFL Experience was actually going to cover a two weekend period, which was good for Houston in that during the normal Super Bowl week there were no hotel rooms for other people to come and experience the NFL Experience so with the opportunity they took an aggressive marketing campaign to tell people in the State of Texas and surrounding States that they could actually see the NFL Experience for the first time in four years because in the last four cities there were no hotel rooms for them to visit, unless they just drove in and drove out. Mr. Tollett reviewed the marketing campaign book for the Mayor and Council Members. Council Member Berry absent.

Chief Storemski stated that the Houston Police Department had a great deal of experience in successfully handling major events and they planned to build on that experience, that their planning for the Super Bowl began over a year ago when they traveled to San Diego to observe Super Bowl XXXVII first hand and to view the tight security issues and other challenges that they might expect to address in Houston, they visited with the San Diego Police Department officials and obtained some valuable information for their own planning process, that last January they assembled a team of very talented individuals, people from every rank though out the department to plan their operation for the event and the result was a very comprehensive plan for security, crowd management and traffic management, that although the Houston Police Department was the lead law enforcement agency for the Super Bowl security their planning process had been an extremely cooperative effort among some 25 Federal, State and local law enforcement agencies, that he had been in the business a long time and had never seen this level of cooperation among so many different agencies, that they had

worked very closely with the NFL and the Houston Host Committee to ensure that they understood all the issues, concerns and their needs and to provide input on their planning process concerning security issues, that the Federal Bureau of Investigation was the lead federal agency for the Super Bowl and they had acquired resources and assets from numerous other federal agencies including the ATF, Secret Service, FEMA, EPA, the Nuclear Regulatory Agency, the Homeland Security Department and many other agencies, that Sheriff Tommy Thomas and the Sheriff's Department had been an active partner in the endeavor from the beginning and had agreed to staff a number of the venues with their uniformed personnel, that at the State level the Department of Public Safety, the National Guard, the Governor's Office and Homeland Security would be providing resources and support, obviously the Super Bowl, by its very nature, must be considered a high risk event and would certainly be an attractive target for a terrorist incident, that their plan in that regard focused on prevention, response and consequence management, that prevention was the first and foremost goal, and intelligence and target hardening were very important keys to prevention, although they had no specific intelligence at this time there was a specific threat, their Criminal Intelligence Division continued to work with the FBI and other members of the intelligence community to share intelligence and to follow up on any relevant or suspicious information, an Intelligence Fusion Center had been activated at the FBI Office in Houston with representatives from every intelligence agency and would operate twenty four and seven until the end of the Super Bowl activities, that the other component of prevention was target hardening and a number of measures were taken to make sure the venues were secure, first and foremost police visibility was number one and there would be a high police presence, that Reliant Park and the stadium would be secured by a hard barricade, fence and metal detectors at all entrances, there would be monitoring for explosives and other weapons of mass destruction and there would be flight restrictions within a seven mile radius of the stadium, that the Houston Police Department and the FBI would have resources in place to immediately respond to any type of incident, those resources would include a SWAT unit, their special response group, their bomb squad and other similar assets from the FBI, the Fire Department, Emergency Medical Service, Hazardous Materials Teams and other consequence management resources from the Fire Department and a number of Federal and State agencies would be staged at or near the stadium and other venues, that command and control for all the activities would occur at the Emergency Management Operation Facilities at the new HEC center and there would be representatives from every security agency and every public safety agency at that center during the entire week, that in terms of traffic, they had developed a comprehensive traffic plan, that on game day they anticipated the traffic would be much lighter than one would expect on a normal Texans Football Game simply because the NFL contractor for transportation estimated that over 34,000 fans would be brought to the stadium via bus, limousine and taxicab so the number of private vehicles should be at a minimum, that the Main Event downtown hosted by the Host Committee would probably create some heavy traffic simply because they would be closing portions of six streets in the downtown area on the evenings of Thursday, Friday, Saturday and Sunday, however the traffic should not be any worse than any of the other events they had in the City throughout the years, that they would be coming out with a media announcement about suggesting where people could park, the areas downtown that they could use and in addition they had worked with Metro and they would be running some Park and Ride operations as well as the circulator in the downtown area to insure that people got from the parking areas to the events.

Mr. Watson stated that he really appreciated the opportunity to report to them on their preparations for Super Bowl XXXVIII, that the Host Committee was actually established to fulfill the obligations and expectations of the bid that was submitted on behalf of the committee to the National Football League on November 1, 2000 when they were awarded the event, that today he could report to them that the National Football League was pleased with Houston's progress to date, that each and every obligation, to this point, had been met, further they fully expected to meet all the expectations and obligations of their bid, both for the City and the County over the next 12 days, that they had no reason to believe that over the next two weeks they were not going to be able to assist the NFL in really staging a world class event and the best Super Bowl ever, that secondly he wanted to report on their efforts to make sure that all Houstonians were able to participate in Super Bowl XXXVIII, a promise that he made to the Council several months ago, that like any other Super Bowl city, they in Houston in addition to making sure that they met all the obligations to the NFL,

considered the participation of the citizenry, they had been working for over a year a strategic planning effort to establish activities that would be open to the public and free of charge allowing all Houstonians, regardless of their economic status, an opportunity to participate in Super Bowl XXXVIII, that they may have seen in recent news accounts that they created thirty eight super hours of entertainment downtown occupying sixteen City blocks with thirty six musical acts, that the musical entertainment that they had contracted was really as diverse as the community itself and were hoping to electrify the citizenry with the Super Bowl XXXVIII activities, that they were really proud of the corporate community and the elected officials and the hospitality industry who had been so instrumental in bringing the plan to fruition, that it was called the Main Event and the Main Event would begin on Thursday, January 29, 2004 and would continue until Sunday night after Super Bowl XXXVIII, and he encouraged everyone present and all Houstonians to participate, that it would be a grand time, that finally the community relations initiatives that he also committed to the Council and were high on their priority scale of what they wanted to accomplish over the next time frame, that they had spoken in the past about the economic impact of the Super Bowl and had also spoken about the visibility that they would derive from the great event, but he really wanted to tell them about the quality of life improvement that would earn the community as a result of Super Bowl XXXVIII, that for the last year they had worked with the NFL on an emerging business program to provide opportunities for women and minority owned companies who might otherwise not have an opportunity to bid on and/or receive contracts regarding Super Bowl XXXVIII, and secondly as many of them may have seen also in recent news reports, last Friday they announced an initiative that would allow them to be the first Super Bowl City to build two youth education town centers as a result of hosting the Super Bowl, that both of the facilities would be located in underserved neighborhoods allowing them to better the lives of the young people in those communities, that he wanted to thank Mayor White and the Council Members for their continued support in helping them demonstrate to the world that Houston was capable of staging a world class event.

Mr. Tollett, Chief Storemski and Mr. Watson were questioned at length by Members of the Council and a audio tape is available for review in the City Secretary's office. Council Members Galloway, Goldberg and Edwards absent.

At 9:52 a.m. Mayor White stated that the City Secretary would begin to call the speakers.

Council Member Ellis moved that the rules be suspended for the purpose of hearing non-Agenda speakers for one minute, seconded by Council Member Alvarado. Council Members Edwards and Wiseman voting no. Balance voting aye. Council Member Goldberg absent. MOTION 2004-0055 ADOPTED

Council Member Garcia moved that the rules be suspended for the purpose of adding Ms. Emma Hall to the Speakers List after John Florez for one minute, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-0056 ADOPTED

Council Member Quan moved that the rules be suspended for the purpose of adding Mr. Wea Lee and Ms. Judeth Yu Dai to the Speakers list as the first speakers under Non-Agenda, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg, Wiseman and Berry absent. MOTION 2004-0057 ADOPTED

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Ms. Kathy Vosburg and Mr. Doug McClain after Mr. Lee and Ms. Dai, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg, Wiseman and Berry absent. MOTION 2004-0058 ADOPTED

Ms. Evelyn Merz, 7095 Santa Fe Dr., Houston, Texas 77061 (713-644-8228) had reserved time to speak but was not present when her name was called. Council Members Goldberg, Wiseman and Berry absent.

Ms. Linda Shead, 1113 Vine, Suite 200, Houston, Texas 77002 (713-226-7200) appeared and spoke in favor of Item 19, stating that she was program director of the Houston Galveston Office of Trust for Public Land and their mission was to conserve land for parks, gardens and other natural places and they were trying to get a park in Council Member Alvarado's district adjacent to Council Member Edwards' district; and urged Council Members support. Council Members Goldberg, Ellis and Berry absent.

Mr. David Schovajsa, P. O. Box 70190, Houston, Texas 77270 (713-875-9254) appeared and spoke in favor of Item 17, stating that he was president of the Limousine Association in Houston and because special consideration had been made by the city in many areas relating to Super Bowl XXXVIII they requested through F & A that time limitation for the 1998 Towncar be extended to coincide with the Super Bowl timeframe and expire February 4, 2004, as the other special provisions of the ordinance. Council Members Goldberg, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that it was an item that fell through the crack when the ordinance was being drafted but there was an amendment on the Agenda today and he would encourage all Council Members to adopt it. Council Members Goldberg, Sekula-Gibbs and Berry absent.

Mr. Jim Murphy, 10375 Richmond, Houston, Texas 77042 (713-780-9434) appeared and spoke in favor of Item 35, stating that he was representing the West Chase District and others and Rodgerdale Road would relieve Beltway 8 traffic and it tied into METRO's Park and Ride, it was a needed and appreciated project; and urged Council Members support. Council Members Goldberg and Berry absent.

Council Member Holm stated that this project was one she knew had been worked on many years and she appreciated all the work that had been done; and would recommend it be used as a model in moving forward. Council Members Goldberg, Wiseman, Sekula-Gibbs and Berry absent.

Council Member Khan thanked Mr. Murphy for coming and for his work and stated that he knew the project was important and would be supporting it. Council Members Goldberg, Wiseman and Sekula-Gibbs absent.

Ms. Nancy Hilmer, 1377 Voss Road, Houston, Texas 77057 (713-660-6552) appeared and spoke in favor of Item 5, stating that she was director of the Buckingham Senior Living Project which was being built with private funds and would not only support seniors who lived there but also provide 66 skilled assisted living and memory support apartment homes, private nursing care and 205 residential apartment homes along with other services and amenities; and urged Council Members support. Council Members Goldberg and Wiseman absent.

Upon questions by Council Member Berry, Mr. Bibler stated that there were three corporations they called conduit corporations and under federal law they could facilitate private projects of this nature, one related to housing, another to educational institutions and then thirdly to medical institutions; that he could speak with the Housing and Community Development Department regarding policy issues; that Council was who signed off agreeing to issue tax exempt bonds. Council Member Berry stated that he thought it would be helpful if there was a written or known policy as he suspected there would be other entities who would want tax exempt bonds; and Mayor White stated that he understood and there should be some criteria. Council Members Goldberg and Wiseman absent.

Council Member Quan stated that they were excited about the project and there was a need for more senior housing; and upon questions, Ms. Hilmer stated that they had a sister community which opened in 2001 in Dallas and they had huge meeting rooms they offered for use and it was a very enthralling endeavor. Council Member Quan stated that he would like to

work with her and asked for a listing of some things the Dallas project had done. Council Members Goldberg and Wiseman absent.

Upon questions by Council Member Edwards, Mr. Bibler stated that tax exempt bonds created a lower interest rate than non tax exempt bonds and under federal law they were authorized to facilitate certain type organizations in getting the tax exempt securities. Council Member Goldberg absent.

Upon questions by Council Member Holm, Mr. Bibler stated that federal controls were imposed to keep it under control. Council Member Holm stated that she was going to tag the item when it came up to allow for further discussion. Council Member Goldberg absent.

Mayor White stated that while Council Member Holm was getting information the City Attorney might in response amplify between revenue and non revenue bonds, as there was a question on whether there was a limit on the aggregate amount; and Mr. Bibler stated that this was entirely revenue bonds; that the credit of the city was not involved in this at all. Council Member Goldberg absent.

Mr. Allen Reagan, 7920 Woodway Dr., Houston, Texas 77063 (713-226-4768) appeared and spoke in favor of Item 5, stating that he was speaking on behalf of future residents of the Buckingham Senior Living Community and they were all excited and were adding to assisted living in Houston.

Mr. Rich Scanlon, 150 2nd Ave. North Street, St. Petersburg, Florida 33701 appeared and spoke in favor of Item 5, stating that he was management director representing the Buckingham Project which was a full retirement community and would be happy to answer any questions.

Council Member Holm stated that she would applaud the way this was handled and the way it was moving through; that as a recipient of a tax exempt bond she would like to see ways he could in return reciprocate by offering technical support or advise in order to move into others that would not be so highly income; that she would continue to work and hopefully a new and good project would be brought forward.

Upon questions by Council Member Quan, Mr. Scanlin stated that they had not been able to issue taxable bonds for the project, there was not a market for that type project.

Upon questions by Council Member Khan, Mr. Scanlin stated that when residents moved into Buckingham they would pay an upfront entrance fee based on the unit they wanted to buy and it would be refunded to them when they ceased occupancy there by 90% and the 10% differential would offset some additional cost the residents would incur as they moved from the independent living to assisted living which had more healthcare. Council Members Galloway and Wiseman absent.

Council Member Holm moved that the rules be suspended for the purpose of extending the time to question Mr. Rich Scanlon, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Galloway and Wiseman absent. MOTION 2004-0059 ADOPTED

Upon questions by Council Member Khan, Mr. Scanlin stated that the cost of providing healthcare for residents continued to increase and entrance fees were set at how much healthcare they would consume. Council Member Galloway absent.

Council Member Holm stated that she understood the corporation was set up in the mid 1980s and had not asked for funding since the early 1990s and also understood there were not limited funds, but it was market driven and would like the correct information; and Mr. Bibler stated that there were regulations on private activity bonds and apparently did not affect this particular type transaction, but could affect other type transactions they might be doing with

various conduit corporations. Council Members Galloway and Garcia absent.

Mayor White stated that this was not a comment for this project but there was commercial bank financing available for revenue generated senior centers; and Mr. Scanlon stated that they had not had much success in getting banks to buy bank loans, but \$60,000,000 was supported by a letter of credit from a commercial bank, however, no banks had shown interest in the balance required; that there were projects that could be done with bank financing if they were structured differently than this particular transaction. Council Members Galloway and Garcia absent.

Mr. Wea Lee, who was previously added to the Speakers List, appeared, presented posters to Council Members and stated that he was publisher of the Southern Chinese Dailey News and was present as it was time for the celebration of the Asian Lunar New Year this weekend; that it was their 8th annual celebration in the southwest part of Houston and would begin Saturday at 11:00 a.m. and go through Sunday; and Houston's Asian Community was the fourth largest in the nation. Council Members Galloway, Edwards, Holm and Garcia absent.

Council Member Quan moved that the rules be suspended for the purpose of extending time to Mr. Wea Lee, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Galloway, Edwards and Holm absent. MOTION 2004-0060 ADOPTED

Mayor White stated that Mr. Lee could continue or they would go to the next speaker; and another gentleman stated that today was New Year's Eve of the Chinese Year of the Monkey and wished all a Happy New Year. Council Members Galloway, Edwards and Holm absent.

Council Member Khan wished all a Happy New Year; and upon questions, Mr. Lee stated that it would begin Saturday 11:00 a.m. at 11122 Bellaire near Boone Road Council Members Galloway, Edwards and Holm absent.

Mayor White stated that they mentioned Houston had the fourth largest Asian Community and they were trying to move it up to make this the best place in the western hemisphere or in the world for people of Chinese ancestry to live and work. Council Members Galloway, Edwards and Holm absent.

Council Member Ellis moved that the rules be suspended for the purpose of hearing Mr. John Florez after Mr. Doug McClain, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Galloway, Edwards, Wiseman and Holm absent. MOTION 2004-0060A ADOPTED

Ms. Judith Ya Dai, who was previously added to the Speakers List, appeared, presented good luck charms and stated that she was present on behalf of the Chinese Community Center, a multiethnic multi service organization in the southwest part of Houston and was inviting Council Members to their New Year Celebration beginning Saturday at 10:00 a.m.; that last year they had over 8,000 in attendance and she hoped they would all be able to join. Council Members Galloway, Edwards, Wiseman and Holm absent.

Council Member Quan stated that all could make both events as theirs was at 10:00 and the other was at 11:00 a.m. and he hoped all Council Members could make them. Council Members Galloway, Edwards, Wiseman and Holm absent.

Ms. Kathy Vosburg, 1400 La Concha Lane, Houston, Texas 77054 (713-791-6215) appeared and stated that she was with the Gulf Coast Regional Blood Center and there was no substitute for blood; that they provided to 220 hospitals in 24 counties and to provide for the need they must draw 800 units each and every day; that when the supply was critically low the blood center had to import units from across the nation at a premium while citizens continued to believe there was sufficient blood on the shelves and there was not. Council Members

Galloway, Edwards, Wiseman and Holm absent.

Mayor White stated that since time was shortened for speakers he would ask that she leave her statement with Mr. Cantu so Council Members could receive a copy. Council Members Wiseman, Holm and Berry absent.

Mr. Doug McClain, 1400 La Concha Lane, Houston, Texas 77054 (713-791-6374) appeared and stated that to follow-up on what Ms. Vosburg spoke of they were trying to build up a supply of blood to take to their center a quarter mile from Reliant Stadium as a part of their Disaster Preparedness Plan which was to move 300 units of blood to the Medical Center in the event of something happening and they were asking if anyone was eligible they please donate. Council Members Wiseman, Khan, Holm and Berry absent.

Council Member Sekula-Gibbs thanked Ms. Vosburg and Mr. McClain for coming; and stated that Ms. Williams was present to sign up any city employees. Council Members Wiseman, Garcia and Berry absent.

Mr. John Florez, 524 Westheimer B, Houston, Texas 77006 (713-522-6548) appeared and displayed a poster board and stated that San Antonio had their River Walk, Paris the Eiffel Tower, St. Louis their Arch and for Houston he was suggesting the lights over the city be changed from white to multicolor; that Mr. Eury stated they were having some problems, but imagine flying into Houston and seeing such an unbelievable site, every building top highlighted by color as shown on his display; and some buildings were already in color at this time. Council Members Wiseman, Garcia and Berry absent.

Mayor White stated that he appreciated the time Mr. Florez spent to illustrate his point and it would not be ignored. Council Members Wiseman, Garcia and Berry absent.

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-791-8000) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Garcia and Berry absent.

Ms. Deborah Elaine Allen, 1122 Sol Street, Houston, Texas 77029 (no phone) had reserved time to speak but was not present when her name was called. Council Members Wiseman, Garcia and Berry absent.

Ms. Sunny Johnson, 7007 Foxmar, Humble, Texas 77338 (281-540-4894) had reserved time to speak but was not present when her name was called. Council Members Wiseman, Garcia and Berry absent.

Ms. Kristin Harrelson, 20707 Greymoss, Houston, Texas 77073 (281-443-3224) had reserved time to speak but was not present when her name was called. Council Members Wiseman, Garcia and Berry absent.

Mr. Roland Curry, 5519 1/2 Caplin, Houston, Texas 77026 (713-633-3829) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Garcia and Berry absent.

Mr. Manuel Emilio Acuna, 5620 Cripple Brook Court, Houston, Texas 77017 (713-910-0682) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Garcia and Berry absent.

Ms. Emma Hall, who was previously added to the speakers list, appeared and stated that she had a non profit organization and when the property was placed in her name she was behind in her taxes and she could not get caught up, the property was bought and the man said he would sell it back to her but he wanted cash; that she put in for credit but it did not pass.

Council Members Garcia and Berry absent.

Council Member Green moved that the rules be suspended for the purpose of extending the time for Ms. Emma Hall, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Garcia and Berry absent. MOTION 2004-0061 ADOPTED

Mayor White stated that Council was interested in what Ms. Hall had to say; and Ms. Hall stated that the Sunnyside property was in her name, but they were behind in taxes and on the first property it was nonprofit, but he wanted cash; and at the time she had no residence, but was paid to stay with another lady. Council Members Garcia and Berry absent.

Upon questions by Council Member Quan, Ms. Hall stated that she was wanting to pay Mr. Jose for the property, but her credit had gone down; that she had property and the court said she had to pay \$7,000 by the 23<sup>rd</sup> and then \$2,000 a month, but you could not borrow money on land alone, it had to have a house on it. Council Members Garcia and Berry absent

Ms. Emily Hayes, 201 South Heights Blvd #1818, Houston, Texas 77007 (713-863-8012) appeared and stated that she was present a couple weeks ago regarding the ordinance allowing the 1998 taxicabs to be on line through March and the Lincoln Towncars having to be off by December 31st and she was asking for the same extension. Mayor White, Council Members Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr./Coach Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 had reserved time to speak but was not present when his name was called. Mayor White, Council Members Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and expressed his personal opinions, stating that all governments were guilty and America needed to recognize who he was; continued until his time expired and then threw an egg hitting the wall above the Mayor Pro Tem. Mayor White, Council Members Green and Berry absent. Mayor Pro Tem Alvarado presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) had reserved time to speak but was not present when his name was called. Council Members Green and Berry absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Green and Berry absent.

Mr. Josh Bullard, 3328 McGowen, Houston, Texas 77004 (832-647-5433) appeared and stated that he was present regarding Agenda Items 8 through 15 and would ask that a Council Member move to have a two week delay as it was a lot of property; that he did not know who set this up but it was almost an entire neighborhood and he did not think it was inline with Chapter 42 of the Local Government Code and would ask it be sent to the Legal Department. Council Members Green and Berry absent.

Council Member Quan stated that Mr. Bullard knew the rules and the people had complied with them, having petitions with over 50% of them signing; and upon questions, Mr. Bullard stated that he had not seen the petitions and would ask that it be proved. Council Member Quan stated that he had seen them and they were in the City Secretary's Office. Council Member Berry absent.

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Member Berry absent.



At 10:48 a.m. Mayor White stated they would move to the Consent Agenda. Council Member Goldberg absent.

Mayor White stated that for the benefit of the Council Members and some of the people who had been designated committee chairs, there was some statement that he would like to make concerning certain assignments of certain committees, that he would try to move through the agenda as quickly as possible so that they might have a discussion about some of the issues on the public record. Council Member Goldberg absent.

Council Member Sekula-Gibbs moved to suspend the rules to consider Item Numbers 4, 19, 20, 5 and 29 out of order, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2004-0062 ADOPTED.

4. RESOLUTION supporting the efforts of the Ellington Field Task Force to emphasize the strategic and tactical mission of the 147th Fighter Wing as it relates to Homeland Security and prevent the inclusion of the 147th Fighter Wing of the Texas Air National Guard at Ellington Field on the Base Realignment and Closure Act list of Military Units to be relocated or closed; providing for severability; and providing an effective date – was presented.

Council Member Sekula-Gibbs stated that she wanted to thank the Mayor and his administration for moving quickly to put the resolution on the agenda and to remind them that there were two key pieces to it, one was the national security and the security of all of the citizens of the Houston area because if they lost the 147th International Guard it would expose them to becoming a soft target for air attack and would be a very dramatic loss to their security, that she wanted to thank also District E Representative Council Member Wiseman because she had been spearheading it and encouraged everyone to vote for it. Council Member Goldberg absent.

Council Member Edwards asked who the resolution was going to and Mayor White stated that it was going to the U. S. Department of Defense, that the current U. S. Administration would convene a base closing commission and that commission itself would take public comments and testimony and resolutions such as Item 4 and thought the intention of the proponents of the resolution was that it be forwarded as part of the public comments to that BRAC Commission.

Council Member Kahn stated that he thought the resolution put the City of Houston and the City Council on record asking for the base to be in Houston which was a great asset for the City, that yesterday he asked in the briefing as to what other steps they could take beside passing a resolution.

Council Member Galloway stated that on the resolution she was excited to see where they were tying to influence, by the resolution, the federal government and hoped they could get a reparation resolution on the Council agenda as well because it was a resolution to study reparation and its affect on African Americans, that she would love to see it back on so they could have something to send to the federal government.

Mayor White stated that in response to those interested in the issue, on which he thought the community would be unified, that was the need to keep the payroll of the 147th Fighter Squadron, the administration had offered to host an organized meeting where the community leaders in the vicinity and others interested could be briefed by the most knowledgeable people, that they were working on dates in mid to late February and would keep Council Members informed.

After further discussion a vote was called on Item No. 4. All voting aye. Nays none. RESOLUTION 2004-0001 ADOPTED.

19. ORDINANCE approving and authorizing an application for grant assistance from the Texas Parks and Wildlife Department for preserving 27.26 acres of land as a nature park; declaring the City's eligibility for such grant; authorizing the Director of the Parks and Recreation Department to act as the City's Representative in application process; authorizing the Director of the Parks

and Recreation Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0034 ADOPTED.

20. ORDINANCE creating the Series E Commercial Paper Cotswold Fund; transferring \$7,495,058.70 from the Series E Commercial Paper Fund to the Cotswold Fund; appropriating \$7,495,058.70 out of Series E Commercial Paper Capital Projects Fund; \$2,216,622.00 out of Water & Sewer System Consolidated Construction Fund; \$873,880.11 out of Street & Bridge Consolidated Construction Fund and \$300,000.00 out of Storm Sewer Consolidated Construction Fund for Construction of Phase 3 of the Cotswold Project; reallocating remaining unused funds previously appropriated for Phases I and II of the Cotswold Project to construction of Phase III; containing provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. ORDINANCE 2004-0035 ADOPTED.
5. RESOLUTION approving the action of the City of Houston Health Facilities Development Corporation regarding its Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project), Series 2004A, Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project) Extendable Rate Adjustable Securities, Series 2004B-1 and Series 2004B-2, Variable Rate Demand Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project), Series 2004C and Variable Rate Demand Retirement Facility Revenue Bonds (Buckingham Senior Living Community, Inc. Project), Taxable Series 2004D (collectively, The “Bonds”) - **DISTRICT G – HOLM** – was presented, and tagged by Council Members Edwards, Holm, Galloway and Quan.
29. ORDINANCE approving and authorizing agreement between the City of Houston and **LOCAL INITIATIVES SUPPORT CORPORATION (LISC)** to provide \$210,000.00 in Home Investment Partnerships Program Funds for Technical Assistance to Community Housing Development Organizations - Grant Fund – was presented, and tagged by Council Member Edwards.

#### **CONSENT AGENDA NUMBERS 1 through 39**

#### **ACCEPT WORK** – NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,403,694.29 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** and **PM CONSTRUCTION & REHAB, L.P. - A Joint Venture**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-88-3 (4257-21) 03.42% over the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0063 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES** - NUMBERS 6 through 39

6. RESOLUTION designating a certain property located at 511 Lovett Boulevard in the City of Houston as a Historic Landmark - (Roy and Margaret Farrar House) - **DISTRICT D – EDWARDS** – was presented. All voting aye. Nays none. RESOLUTION 2004-0002 ADOPTED.
7. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400** – was presented. All voting aye. Nays none. ORDINANCE 2004-0036 ADOPTED.
8. ORDINANCE establishing the east and west sides of the 1200 block of Arlington Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0037 ADOPTED.

9. ORDINANCE establishing the north and south sides of the 1000 and 1100 blocks of East 16th Street and Peddie Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0038 ADOPTED.
10. ORDINANCE establishing the east and west sides of the 1500 and 1600 blocks of Harvard Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0039 ADOPTED.
11. ORDINANCE establishing the north and south sides of the 900 block of Merrill Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0040 ADOPTED.
12. ORDINANCE establishing the north side of the 800 block of Pecore Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0041 ADOPTED.
13. ORDINANCE establishing the south side of the 800 block of Pecore Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0042 ADOPTED.
14. ORDINANCE establishing the west side of the 1000 block of Oxford Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0043 ADOPTED.
15. ORDINANCE establishing the east and west sides of the 500 block of Frasier Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0044 ADOPTED.
25. ORDINANCE approving and authorizing contract between the City of Houston and **DONALD R. WATKINS MEMORIAL FOUNDATION, INC.**, providing up to \$863,400.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds, which sum includes a limitation of additional funding in the amount of \$431,700.00, for the Administration of a Short-term Rent, Mortgage and Utility Assistance Program, along with supportive services - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2004-0045 ADOPTED.
26. ORDINANCE correcting Item Number 8 in the assessment roll included within Ordinance Number 84-1623, and authorizing refund for certain assessment liens and apparent liens created by Ordinance No. 83-1611 for the initiation of a paving project for the permanent improvement of portions of Dixie Drive from Mykawa Road to Trendale Street, known as Topping Project No. 377, in the City of Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0046 ADOPTED.
27. ORDINANCE correcting Item Number 10 in the assessment roll included within Ordinance Number 87-315, and authorizing refund for certain assessment liens and apparent liens created by Ordinance No. 84-1740 for the initiation of a paving project for the permanent improvement of portions of Blalock Road from Interstate Highway 10 to Long Point Road, in the City of Houston, Texas - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none.

ORDINANCE 2004-0047 ADOPTED.

28. ORDINANCE correcting Item Numbers 47 and 119 in the assessment roll included within Ordinance Number 87-856, and authorizing a refund for certain assessment liens and apparent liens created by Ordinance No. 85-548 for the initiation of a paving project for the permanent improvement of portions of Cheswood, Joyner and various other streets, known as Topping Project No. 341, in the City of Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0048 ADOPTED.
30. ORDINANCE appropriating \$34,870.12 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an interlocal agreement between **TEXAS DEPARTMENT OF TRANSPORTATION** and the City of Houston for the relocation of the City's Water Line located on Chartres Street, CIP S-0521-CT-3 (SB9165-02) - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0049 ADOPTED.
36. ORDINANCE appropriating \$368,700.00 out of Parks Consolidated Construction Fund and \$306,700.00 out of Parks Capital Project Fund, awarding construction contract to **RESICOM, INC** for Construction of Parks Master Plan - Bid Package 7 - Milroy Parking Lot, Brock Golf Course Bridge and Rosewood Park, GFS F-504C-16-3, F-504C-24-3 and F-504C-05-3; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Park Capital Project Fund - **DISTRICTS B - GALLOWAY and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-0050 ADOPTED.
37. ORDINANCE appropriating \$701,945.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **WESCO INFRASTRUCTURE TECHNOLOGIES, L.P.** for Rehabilitation of the 54" to 60" Pickfair Trunk Sewer from 610 North Loop to Hunting Bayou, GFS R-2011-36-3 (WW4857); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2004-0051 ADOPTED.
38. ORDINANCE appropriating \$198,500.00 out of Airport System 1998C NON-AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-16.1; approving Purchase and Sale Agreements with the owners of the land (Daniel W. Berger and Ruth A. Berger; and Lazaro Lopez and Sonia J. Lopez) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2004-0052 ADOPTED.
39. ORDINANCE appropriating \$469,000.00 out of Airport System 1998B AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One, Two and Three, and J. C. Hayes Addition, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-17.1; approving Purchase and Sale Agreements with the owners of the land (Modelle G. Chambless; Sharon Leigh Dunson; Olga GY. McAndrews; Rita Morales; Guadalupe Sifuentes and Leonarda Pachuco; and Ruby Doris Wagley) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2004-0053 ADOPTED.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**ACCEPT WORK**

1. RECOMMENDATION from Acting Director Building Services Department for approval of final

contract amount of \$6,201,706.95 and acceptance of work on contract with **THE TREVINO GROUP, INC** for Third Ward Multi-Service Center, GFS D-0070-01-3 - 06.47% over the original contract amount - **DISTRICT I – ALVARADO** – was presented, moved by Council Member Galloway, seconded by Council Member Sekula-Gibbs.

Council Member Quan stated that while he noticed that the Trevino Group did fall a little short on their MWBE requirement their review found that the problems were really with the design firm that did the work and that they were no longer using that company, that he knew the Trevino Group had a commitment to MWBE and he supported the item.

A vote was called on Item No. 1. All voting aye. Nays none. MOTION 2004-0064 ADOPTED.

### **PURCHASING AND TABULATION OF BIDS**

3. **DEMCO, INC (Bid No. 3)** for Audio and Video Packaging and Supply for Library Department \$160,000.00, minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$4,800.00 for a net award amount not to exceed \$155,200.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs, and tagged by Council Members Wiseman and Goldberg.

### **RESOLUTIONS AND ORDINANCES**

16. ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052 of the Texas Local Government Code – was presented. All voting aye. Nays none. ORDINANCE 2004-0054 ADOPTED.
17. ORDINANCE amending Ordinance No. 2003-1045 relating to Ground Transportation Service for the 2004 Super Bowl for the purpose of allowing the Director of Finance & Administration to suspend requirements relating to the age and licensing of limousines – was presented. All voting aye. Nays none. ORDINANCE 2004-0055 ADOPTED.
18. ORDINANCE relating to the rescheduling or postponement of certain City Council Meetings – was presented. All voting aye. Nays none. ORDINANCE 2004-0056 ADOPTED.
21. ORDINANCE authorizing an Interim Borrowing from the Street & Bridges Construction Fund (Fund 405) by the City of Houston, Texas, Lamar Terrace Public Improvement District - Special Assessment District Fund (Fund 223) of an amount not to exceed Forty thousand dollars; declaring an intent to reimburse Fund 405 – was presented, and tagged by Council Member Wiseman.
22. ORDINANCE approving and authorizing lease agreement between **YORK FONDREN PROPERTIES, L.L.C.**, as landlord, and the City of Houston, Texas, as tenant, for space at 10101 Fondren for use by the Police Department - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. ORDINANCE 2004-0057 ADOPTED.
23. ORDINANCE approving and authorizing fifth amendment to Gas Sales Contract (approved by Ordinance No. 89-1230) between the City and **CENTERPOINT ENERGY ENTEX, a division of CENTERPOINT ENERGY RESOURCES CORP.** – was presented. All voting aye. Nays none. ORDINANCE 2004-0058 ADOPTED.
24. ORDINANCE approving and authorizing the second amendment to the Communication Equipment License (Ordinance No. 96-987) between the City and **HOUSTON CELLULAR TELEPHONE COMPANY, L.P., dba, CINGULAR WIRELESS, through its general partner, SOUTHWESTERN BELL WIRELESS, L.L.C.** - Revenue - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Ellis.
31. ORDINANCE approving and authorizing the Impaired Driving Mobilization Selective Traffic

Enforcement Program (IDM STEP) Amendment, allocating additional Texas Department of Transportation Funding to the Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief or the Acting Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. ORDINANCE 2004-0059 ADOPTED.

32. ORDINANCE appropriating \$1,813,594.43 out of Water & Sewer System Consolidated Construction Fund and appropriating \$6,000.00 out of Street & Bridge Consolidated Construction Fund as Reimbursement to the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** pursuant to the Transportation Improvement Agreement approved March 17, 1993 (Ordinance 93-274) for construction of the City's water lines, sanitary sewers and changing roadway directions on Franklin Street from Louisiana to Hamilton and Congress Street from Jackson to Hamilton; CIP N-0671-04-3, S-0443-30-3 and R-0537-30-3 (SB9037-13) - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0060 ADOPTED.
33. ORDINANCE appropriating \$671,270.08 out of Water & Sewer System Consolidated Construction Fund to Reimburse the **METROPOLITAN TRANSIT AUTHORITY (METRO)** for the City's share of the cost of the Transportation Improvement Agreement approved by Council on March 17, 1993 (Ordinance No. 93-274); GFS S-0443-29-3 and R-0537-29-3 (SB9037-12) - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0061 ADOPTED.
34. ORDINANCE awarding contract to **INDUSTRIAL TX CORPORATION** for Sludge Facility Equipment Repair/Replacement Services for Public Works & Engineering Department; providing a maximum contract amount - 1 Year with two one-year options - \$6,171,580.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2004-0062 ADOPTED.
35. ORDINANCE appropriating \$236,809.50 out of Street & Bridge Consolidated Construction Fund and approving and authorizing second amendment to professional engineering services contract between the City and **LANDEV ENGINEERS, INC**, CIP N-0644-09-2 (SB9166) - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2004-0063 ADOPTED.

#### **NON CONSENT AGENDA** - NUMBER 40

#### **MISCELLANEOUS**

40. MOTION to set a date not less than seven (7) days from January 21, 2004, to receive nominations for Positions 4 and 5, for terms to expire December 31, 2004, Positions 6, 8 and 9, for terms to expire December 31, 2005, and the Chair, for a term to expire December 31, 2004 of the Board of Directors of **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE)** – was presented.

Council Member Alvarado moved to set January 28, 2004 to receive nominations for Positions 4, 5, 6, 8 and 9 and the Chair of the Board of Directors of Reinvestment Zone Number One, City of Houston, Texas (St. George Place), seconded by Council Member Holm. All voting aye. Nays none. MOTION 2004-0065 ADOPTED.

#### **MATTERS HELD** - NUMBER 41

41. ORDINANCE approving and authorizing amendment No. 1 to Contract No. C50015 between the City of Houston and **WACKENHUT CORPORATION** for Security Guard Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - \$4,688,006.43 Enterprise Fund - **DISTRICTS B - GALLOWAY and E - WISEMAN** – (**This was**

**Item 25 on Agenda of January 14, 2004, TAGGED BY COUNCIL MEMBERS EDWARDS, QUAN, BERRY, GARCIA, GREEN and GALLOWAY)** – was presented.

Council Member Quan stated that he knew they had a time limit on the item and would implore Wakenhut to come forward with a plan to Council Members, that he thought they all expressed their concern about their efforts to work with the minority community on it, that while he was not going to block the item he hoped that within 30 days they would see a plan of action.

Council Member Garcia stated that he would like to reiterate Council Member Quan's comments, that he met with the folks who oversaw the contract, and it was the second contract they had where they had not met their goal in the MWBE, that it was beyond a plan of action, that they had mentioned that they had taken action to address it the first time and obviously they did not meet it the second time.

Council Member Ellis stated that he did not have a problem with the contract as it was but did have a problem with it being put on the Council agenda when they knew they were under time constraints, it was something that the Brown administration did, always saying they could not tag an item or delay the item and so forth, so he would just request that under Mayor White's administration that they leave some time built in, maybe a month or so, in case there were questions and discussions that had to be held on those items, that he knew every now and then there may be an emergency, and Mayor White stated that it was so noted and specifically would ask the Agenda Director to keep that comment in mind.

Council Member Berry stated that he would also ask that Wakenhut be before Council for some of the questions that other Council Members had, that hopefully they could get them to Council before the Aviation Committee in short order, that he thought a lot of the Council Members had some questions, that he wanted to echo Council Member Ellis's concern if they could have time to look through the item a lot of the questions could be answered, and Mayor White stated that he appreciated the comments and in connection with that they recalled the question that he posed last time concerning the cost for a normalized eight hour FTE, that he had not forgotten the question.

Council Member Galloway stated that she concurred with her colleagues, Council Members Quan and Garcia and hoped that they did come up with a plan and would be monitoring the situation and knew that the Mayor said he wanted diversity in the contracts and hoped they would improve and come up with a plan for them.

Mayor White stated that he agreed with all of the comments made by Council Members.

A vote was called on Item No. 41. All voting aye. Nays none. ORDINANCE 2004-0064 ADOPTED.

Mayor White stated that various Council Members had been notified of the committee assignments and certain information should have been disseminated to the various Council Members, that he intended to have members of various City departments assign to be the points of contact for support of the various committees and had asked the Mayor Pro Tem, from time to time and as needed, to convene a meeting with the Chairs of the various Council committees to resolve any items concerning jurisdiction or support, such as the request for information or anything else, that to Council Member Edwards and those who were serving on her committee he would have answers to them concerning the inquiries they made concerning the staffers or support of resources from the administration and then as they felt it necessary they could get together and have a meeting with department heads with the members of the committee, that Council Member Edwards also asked what the role of the Vice-Chair was and he would say to a large extent it would depend what the Chair and Vice-Chair agreed that it would be, that specifically he had asked Council Member Edwards and members of the committee to focus on that portion of the issues considered by the committee which concerned the rules and regulations that effected development or new development that would have an impact on flooding, everything from water retention through the use of ground

cover to detention requirements to an assessment of flood impacts if there were some places where building permits could or should not be issued because they were an inevitable impact, that he knew members of the committee would take into account their need as a city to grow and develop with the interest of the developers and seek active input from stake holder groups as well as experts in the field, that he wanted to say in open Council so they were all clear, it was not a PR exercise, the Mayor and his administration knew that they could not just keep on doing stuff like they had done and expect things to change on flooding and drainage, that it was a complicated issue involving a balance of issues and they did intent to have dialog with committee chairs and the members, that it was not window dressing, that on the Fiscal Affairs Committee, which a number of Council Members were on, that Council Member Ellis was presiding over, he would like to get a recommendation from the committee on two items, that yesterday he received a briefing from HR concerning the extension of the Health Benefits Agreement which was extended last year from April 2004 to the following April, however there could be some modifications that were made in the plan or in the benefits as offered in that plan that would have an impact on both the services provided and the net cost to the City, that one of those which was not a matter of a fiscal impact that he would mention, would be to create a PPO option within the plan at no net cost to the City and that was an option that could be costed out explored, that the amount of the escalation year to year was substantial, 23%, and was really not acceptable when they considered all of the public service priorities that they had, and some means of mitigating the impact of that on the City employment and the public services would be to look at the percentage contributed by the City and City employees within the various ranges which had occurred over the last five to six years and look at other private employers and public employers and as they knew that amount had escalated just within the last six years, 82% to 88%, that just to give them an idea of the rough fiscal impact it was good to go to 85% and 15%, that would have an impact of say \$5 million on the operating budget, which was a lot of goods and services or employment, that he would like to have a recommendation from the Fiscal Affairs Committed concerning what they would do on that particular feature as well as anything on co-payment, he wanted to insure City employees that the City wanted to be a fair and just employer, but it was based on the objective situation of the City's benefits increasing and they did not want to have to chose, they wanted to be competitive with the private sector and did not have to make unnecessary choice between public services and employee benefits, and moreover he would ask the chair, that kind of amendment, if they decided to do that, he was not only asking for the committee to make a recommendation concerning the year policy plan April 1, 2004 through April 1, 2005, but if it was a change that should be made effective before that time, then make a recommendation, they knew that this years budget was at a minimum tight and that there may be some savings which they were going to have to find at the beginning of the next fiscal year, so if they needed to make the change in March 2004, if a change was recommended, to effect FY2004 Budget, he wanted the best guidance of the committee on that particular issue, and there was one other issue that had history and he was not familiar with all the history but would like to committee, which represented a diverse group of people, to make a recommendation concerning civilian employees take home vehicles as well, that it was a difficult issue and Council Member Ellis could set a timetable but some time in February, that he would say to his colleagues if there were any comments or information they wanted on the portion of the plan which would be the PPO that was something where the election notices would need to be given, he thought, within the next month or so, so absent some change in administration policy, that was a direction he gave yesterday to the HR Department.

Council Member Quan stated that he would suggest that the Mayor Pro Tem have a meeting of all the committee chairs so they could look at their calendars and set dates for the meetings, maybe an orientation for the new Council Members and Council Member Alvarado stated that she was agreeable to that.

#### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Quan stated that he wanted to add his wishes for a Happy Chinese New Year and to thank Mayor White and Council Members Goldberg and Khan for coming out on Sunday to their Asian Heritage Day at City Hall where they celebrated with the musical "The Flower Drum Song", that it was an outstanding event and believed the play really told a story of not just Asian



immigrants but of all immigrants to the Country and the struggles that they had, that he wanted to mention all of the events that were happening in the community over the weekend, at 10:00 a.m. at the Chinese Community Center on Sovereign and at 11:00 a.m. at the Southern Chinese News Building, that the Year of the Monkey was a year that was characterized by people who were creative, witty, highly intelligent, interested in global affairs and should be a great year for business and industry and trade, that they looked forward to a great year in Houston with the Year of the Monkey. Council Member Sekula-Gibbs absent.

Council Member Quan stated that his alma matter, Milby High School, was now rated number one in the State of Texas in basketball and number four in the Nation and wanted to congratulate the Milby High Basketball Team. Council Member Sekula-Gibbs absent.

Council Member Berry stated that he wanted to commend the Mayor for taking on the health benefits and take home vehicles, that those were controversial and tough but thought the Mayor was getting to the root of how they were going to solve some of the problems. Council Member Sekula-Gibbs absent.

Council Member Berry stated that as to Item Numbers 32 and 33 on the agenda dealt with Metro doing some things that the City of Houston did prior to Metro's inception and probably could continue to do and knew there was a pendulum swing as to what the City and Metro did over the years, but he hoped the Mayor would look to their doing that in house in the future. Council Member Sekula-Gibbs absent.

Council Member Berry stated that they had an intern in their office for a few weeks named Mr. Reed Simpson, who was a senior at Kinkaid High School and was about to have to leave them, that he had done a great job and scored a 1550 on his SAT and was off to Duke University, that they appreciated his service to the City. Council Member Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to recognize one of the oldest City Departments, that the Library Department was celebrating their 100 year anniversary on Saturday and there would be a special dedication and special program and hoped that all Council Members and the public would attend at 500 McKinney, the Central Library, from 12:30 p.m. to 4:00 p.m. Council Member Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to thank Council Member Quan for inviting him to see "The Flower Drum Song" and he also arranged for them, after the show, to meet the cast members, that the musical was outstanding and if they went they would not be disappointed. Council Member Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to thank Mayor White who last Saturday came out to a program for the Big Brothers and Big Sisters, that it was their 100 year anniversary, that it was an outstanding organization, that the Mayor had some inspirational words and really uplifted the group and thanked him for coming out. Council Member Sekula-Gibbs absent.

Council Member Wiseman stated that she wanted to extend her gratitude to her colleagues for supporting the Ellington Field Resolution, that yesterday, at her request, the Houston Galveston Area Council took under consideration a resolution also to support Ellington Field and it passed unanimously, that cities throughout the region were passing resolutions in support of the effort, that it was vital for the region. Council Members Alvarado and Sekula-Gibbs absent.

Council Member Wiseman stated that she wanted an update on the renovation of Fire Station 61, that originally the work was to take only four months and it had been almost a year so they wanted to know what the status was. Council Members Alvarado and Sekula-Gibbs absent.

Council Member Wiseman stated that they had traffic lights in Kingwood that did not have a timing issue, that at the intersections of Kingwood and Woodland Hills Drive and Northpark and

Woodland Hills Drive, those two streets were major arteries in Kingwood and handled a great deal of traffic and just about every week those lights during rush hour were flashing red creating backlog in traffic, that people had been told it was not an issue of timing that it was faulty equipment and nothing had been done to replace that equipment. Council Members Alvarado and Sekula-Gibbs absent.

Council Member Wiseman stated that she visited with civic association representatives last night regarding issues in the South Belt area of her district and they had questions with regard to some development that had been under construction at Monroe and Alameda Genoa, apparently the developer had not put in the required retention ponds and they would like to find out why that was the case and find out what type of action could be taken on the City's part. Council Members Ellis, Alvarado and Sekula-Gibbs absent.

Council Member Wiseman stated that she had been hearing quite a bit with regard to billing errors from the Kingwood Community, that it appeared that water bills were being estimated for two months at a time and by the third month they were hit with a large bill, that people were contacting the Water Department and the Water Department was not denying that it was occurring, that it had been an issue with the Kingwood people since annexation and that was the issue of water bills, that there had been repeatedly raised the question of whether or not they were dealing with inequity in billing with respect to billing of the customers in the Kingwood area and that of customers throughout the rest of the City, those questions had remained for quite a number of years and they had tried to seek information and clarification on that and had not been able to do so, so she would respectfully request an audit of the billing department for the Customer Utility Service. Council Members Ellis and Sekula-Gibbs absent.

Mayor White stated that each of her items were deserving of specific answers, that on the last one he asked if Council Member Wiseman meant that different rates were being used, and Council Member Wiseman stated that yes, a question remained with so many customers in Kingwood that there was an inequity with respect to the actual billing, that the amount of the water bills that customers were receiving in Kingwood were on average in the hundreds of dollars. Council Members Ellis and Sekula-Gibbs absent.

Council Member Green stated that last week he was downtown on Saturday night and was at the corner of Preston and Main and there was a valet station and the valet attendant told him that the valet parking was full but they offered him the opportunity to pay \$20 to park in the reserved spaces that they had set aside for valet loading and unloading, that he would like an update on that practice because if they were charging people \$20 to park in City owned spaces maybe the City needed to visit some sort of fee to the valet companies. Council Members Ellis and Sekula-Gibbs absent.

Council Member Alvarado stated that last year they passed the Valet Ordinance that regulated the Valet Industry and she wanted to get the name of the valet company, if he had that, because that was not allowed in the ordinance they passed. Council Members Ellis and Sekula-Gibbs absent.

Council Member Goldberg stated that they had a problem when they were parking in the City's parking meters and not putting the money in the meters so the people got the ticket and had to pay for the valet, that they needed to eliminate those companies that were doing that kind of stuff immediately. Council Members Ellis and Sekula-Gibbs absent.

Council Member Edwards stated that she wanted to thank Mr. Vanden Bosch and Mr. Rick Grochoske for continuously being with them in their struggle on the Cambridge Bridge issue, that once again they were always at the community meetings fielding questions and being of assistance and support, that she also wanted to thank the Mayor's office, a lot of times go running into projects that they did not know anything about and Ms. Young called their office regarding the Scott Street expansion and she appreciated her calling so she could get the history of what was going on and what they had been working with, that she wanted to say thank you for having them call first, that they appreciated her help and it was really gratifying for district people to have people call and ask what was going on and how could they help. Council Members Ellis and Sekula-Gibbs absent.

Mayor White asked if the issue was concerning the amount of right-of-way at the VA Hospital, and Council Member Edwards stated yes, that at the last meeting there was an informal presentation and Mr. Vanden Bosch had codified the informal presentation by a formal letter asking for in writing the VA's recommendation, that it had not been resolved. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Edwards stated that at the CIP briefing she had asked where they were, especially on the projects that were current, that she could not move to new CIP programming and planning until she understood what was going on with the current CIP. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Edwards stated that last night she watched the State of the Union Address and the issue regarding "No Child Left Behind", that whole program with the Education Department struck home to her because of the issues they were still having in her district and in District I, particularly Ryan Middle School, that she thought it was obscene that they could classify a school as low performing and do nothing to improve the environment, that she spoke in July 2002 regarding the conditions of Ryan Middle School and on July 16, 2002 a walk through was done of Ryan Middle School regarding the improvements that were needed, construction and so forth, and there was a commitment made to the community and to the City Council that those concerns would be dealt with, that HISD had a budget of \$1.33 billion per year and for them to classify a school as low performing when in two years there were things that still were not done, that it was according to the parents and the officials at the school, that as of January 2004, no hot water in any of the restrooms to wash hands for either students or teachers, no gas, that the gas in the Science labs and teacher lab stations had not been reconnected, that they were supposed to replace carpeting in the main office and it had not been done, replace carpeting in the whole auditorium, paint the entire auditorium, paint the entry ways in the auditorium, repair broken steps in the auditorium, glue down the acoustic coverings on the walls of the auditorium, clean the drainage and courtyard areas to eliminate the flooding conditions and standing water, repair rotten wood in the cafeteria, replace the rusted awnings on the covered walkways leading to the cafeteria, refurbish the restrooms in the Home Economics area, install television brackets in all of the classrooms, refurbish the boys and girls locker rooms to include connecting of domestic hot water heaters for boys and girls showers, cleanup debris, reconnect water and gas to student stations in the Science Lab, replace all windows in the shop, that it went on and on, and then they say it was a low performing school, what kind of environment were they providing for their children to perform better, that they had good relationships with Ms. Stripling, but to hear the President talk about how the program was working and no child left behind and to declare low performing at Ryan, Yates and Jones, in her opinion, was the first step in eliminating that community, so one of the things she would like to see happen was that they put some meat to the rhetoric and if they were not going to leave a child behind and if they wanted their children to succeed nobody would go to work and accept those kind of conditions, that she did not understand it, they treated their children like the enemy and she was just saying they needed to do better by the children, she was not getting into micro management and who was principal and who was not principal, that she did not know how much money it took to bring in hot water to the school, that she thought they were all supposed to wash their hands before they ate and before they prepared food and after they went to the bathroom, that she was just making a plea to HISD and to the people who were in charge, that as she said it was as of January 13, 2004, if it was incorrect somebody needed to show her the corrections, but if it was correct then they needed to do better, that they needed to do better by their children and by their communities. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Lawrence stated that after last weeks agenda Public Works arranged for her to meet one of their pothole repair trucks out in the district and she wanted to say thank you, especially to Mr. James Carter, the truck driver, who let her get in the cab and they repaired one of the 60,000 potholes that they will prepare in the City within the next year, that it was a picture of automation and the way she was glad the City was moving. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Lawrence stated that she wanted to thank the IT Department for their help in restoring files that were erased from their computers and for all of the work they had done for all of the Council Members, that it had been a great service to work with them. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Lawrence stated that Harris County Flood Control was working with them in District A because of extreme flooding and they were partnering with some State legislators on a retention pond that would be going in during 2005 on Highway 290 east of 43<sup>rd</sup> Street, the golf course was going to have to change four holes and they met with the owners and the golf pro during the past weekend, that Harris County Flood Control was being very helpful in moving the T boxes and settling with the homeowners as far as buyouts, that she had a lot of appreciation for Harris County Flood Control and hoped they could continue to partner with those people and the State legislators and the County. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Garcia stated that whether it was Mexico, Central America, South America or any other part of the world when a natural disaster like an earthquake occurred Houston almost always seemed to be at the forefront of the issue, that it was especially gratifying to see Mayor White at the Iran Earthquake service that was held at the convention center and it was a huge impact on him and his family the devastation that the community felt, not only in the history that was lost but the lives that were lost was tremendous. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Garcia stated that he participated with several colleagues during the Martin Luther King Parade, and they were behind the Louisiana State Marching Band and it was really exciting and encouraging to see the diversity of the people enjoying the parade as well as the participants of the parade, that he wanted to thank Council Members Alvarado, Khan, Quan and Lawrence, that it was a great day. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Garcia stated that on Saturday evening he was at Saint Josephs Catholic Church for the Martin Luther King mass that was held and Bishop Fiorenza and Bishop Gillory were present and Bishop Gillory gave the homily and it was also just as moving as the parade and the event itself.

Council Member Garcia stated that he wanted to invite his colleagues to consider adding a float to the Northside March on Crime Parade that was to be held on March 6, 2004, that there was still room for plenty of floats or to walk it if they cared to do that, they would love to have them participate. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Holm stated that on March 10, 2004 the District G CIP meeting would be held at Westside High School and encouraged all representatives and constituents of District G to be there, but not to wait until that time, this was the time to start bringing forward any interests or issues that they had or concerns about or would like to address, that they could start doing that by calling their office at 713-247-2007 or emailing them at [DistrcitG@CityofHouston.net](mailto:DistrcitG@CityofHouston.net). Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Holm stated that they were going to establish in their office a district neighborhood council which would be comprised of representatives from civic associations as well as various neighborhood communities, that Ms. Whitney Boles would be coordinating it, but the purpose of it would be for the different communities and neighborhoods to come together to work on common issues and goals as well as to be a resource to one another and then to prioritize as a district some of their issues and needs and concerns and would be really anxious as it developed to keep them apprised and what they hoped it would do was to empower the citizens of their district to be participants and supporters of the community. Council Members Galloway, Ells and Sekula-Gibbs absent.

Mayor White asked, especially of the veteran Council Members, if they shared his concern

about something and if so what could they do about it, to take their time to respond, he was looking for advice, that he had been a little worried over the last several weeks that there may be, from time to time, put on the agenda, professional services contracts or contracts for the design or plan of something, where the amount that they had designed and planned and scoped out already exceeded the amount of money they may have in the Capital Improvement Budget for construction in the next couple of years, and if they had a design of something that was not going to be built for four years from now or later or who knows where the priorities may change in response to concerns in the neighborhoods if nothing else, that it was a lot of money, that the first thing he would say and was not asking a rhetorical question but would any colleagues who had been at the Council table and who had observed the process and looked at items crossing the agenda on those contracts, were there Council Members who shared his concern, and he was not asking for speeches or whatever. Mayor White further stated that when the relative department heads, the Department of Public Works and Building Services in particular, could prepare, but no later than two weeks, he would like to use a Mayor's Report and at least have some kind of spreadsheet on what was the aggregate amount of design they had, just a rough estimate, if those projects were built what would they cost, and then they could compare those to what may be in the Capital Improvement Budget over a couple of years and they could decide at that point what an appropriate policy would be or criteria would be to slow down on the front end in engineering and design, if that was appropriate, at least they could have that briefing so all of the Council could be present in doing that, that he had no other agenda on that then just making sure, as well as health benefits, that he just wanted to make sure that they spent the taxpayers money wisely and not cut services or employees more than absolutely necessary if they had good stewardship of the taxpayers dollars. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Alvarado stated that she certainly appreciated the Mayor having a discussion in an open forum about those issues as well as the Council committees, that she thought it was very beneficial and was a healthy discussion for the Council Members. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Alvarado stated that she knew the 911 budget was delivered to all of the Council Members and the Mayor's office, that she was going to continue to raise the issue as they looked at the budget and the presentation that was given by Dr. Scheps about the franchise fees that they received from the wire phones versus the wireless, there were some inequities there because more people were moving to wireless phones, and whether it was State or Federal law that they had to change it was going to continue to impact their budget, that Dr. Scheps stated that it was impacting their budget anywhere from \$2 million to \$4 million because of that franchise fee, that she just asked that they be conscious of that and keep in mind as they review the 911 budget and the City's budget as well. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Kahn stated that he wanted to call their attention to something that was going on in the small business community stores, that on Monday after the Martin Luther King Parade the community buried Mr. Paul Savani who was killed on January 16, 2004 in a convenience store killing and it was a rash of killings that were going on in the last few months, that last time when something like this happened a few years ago, Mr. Brown and the City Council, especially Council Member Quan and Council Member Ellis raised the issues and a lot things were done at that time and with the help of Council Member Quan's office HPD came out with a safety video which was distributed for some time to people who worked in the convenience store business, that convenience stores were convenient targets for crime, that there were five or six killings in just the past few months, that his request to the Mayor was as he was considering finding a new police chief to bring the killings as one of the criteria as to what they planned to do in the small and new store business, which was considered one of the most dangerous lines of work after the police and fire, that most of those people were hard working, honest, citizens, trying to make a living, that he would request a follow up with HPD, that people did not know what was going on in catching the criminal, that there was also some plan of victims assistance and many times family members saw that the process was very cumbersome, like funeral expenses were supposed to be reimbursed in a very timely fashion, also the process of releasing the body, that his request was that all of that should be looked into. Council

Members Galloway, Ells and Sekula-Gibbs absent.

Mayor White stated that without going into details they would be getting more people on patrol in the call for service loop in certain parts of Houston, including southwest Houston, that has seen an enormous increase in crime and loss of response time, was something that just last Friday was an issue where he explored alternatives with the Chief and would continue to look at that and thought that there was some process. Council Members Galloway, Ells and Sekula-Gibbs absent.

Council Member Berry read a letter from a constituent complimenting Captain Dwayne Redding of the South Central Police Station. Council Members Galloway, Ells and Sekula-Gibbs absent.

There being no further business before Council, the City Council adjourned at 12:01 p.m. upon MOTION by Council Member Green, seconded by Council Member Quan. Council Members Galloway, Ells and Sekula-Gibbs absent.

DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

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Anna Russell, City Secretary